



USSN: 10/764,010  
Dkt. No.: 6750-0007.02  
SU98-U01.US1.CON1

*JKW*  
**PATENT**

**CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 23, 2004.

11/23/04

Date

Michelle Hobson

Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

ALEXANDER et al.

Serial No.: 10/764,010

Filing Date: January 22, 2004

Title: ASSESSING THE CONDITION OF A  
JOINT AND DEVISING TREATMENT

Examiner: Not Assigned

Group Art Unit: 3762

Confirmation No.: 8938

Customer No.: 36806

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

Enclosed is a Supplemental Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- In accordance with 37 C.F.R. §1.97(c), also enclosed is:
  - the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
  - a statement as specified in 37 C.F.R. §1.97(e).
- In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- Check No. \_\_\_ in the amount of \$\_\_\_ for the total fee is attached.

- A return receipt postcard is also enclosed.
- Please charge \$\_\_\_\_\_ to Deposit Account No. 18-1648 for the total fee.  
This paper is being submitted in duplicate.
- The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: November 23, 2004

By: Dahna S. Pasternak  
Dahna S. Pasternak  
Registration No. 41,411

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In Re Application of:	Examiner: Not Assigned
ALEXANDER et al.	Group Art Unit: 3762
Serial No.: 10/764,010	Confirmation No.: 8938
Filing Date: January 22, 2004	Customer No.: 36806
Title: ASSESSING THE CONDITION OF A JOINT AND DEVISING TREATMENT	

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, copies of the publications C1 cited in the attached Form PTO/SB/08 are enclosed.
- No copy of the publication \_\_\_\_\_ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003
- No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications

were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.

- Publication(s) \_\_\_\_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_\_\_\_ application serial no. \_\_\_\_\_ and mailed on \_\_\_\_\_.
- Enclosed is a copy of a non-English publication(s) \_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- Enclosed is a copy of a non-English publication(s) \_\_\_. English language publication \_\_ (copy enclosed) claims priority from this non-English publication.
- Enclosed is an explanation of non-English publication(s) \_\_ for which an English translation is not available.
- Enclosed is an English translation of non-English publication(s) \_\_ cited in the attached Form PTO/SB/08A.
- Enclosed is a copy of pending patent Application Serial No. \_\_\_\_.

This Information Disclosure Statement is filed within any one of the following time periods:

- within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- before the mailing date of a first office action on the merits; or
- before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

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It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Respectfully submitted,

Date: November 23, 2004

By:

  
Dahna S. Pasternak  
Registration No. 41,411

ROBINS & PASTERNAK LLP  
1731 Embarcadero Road, Suite 230  
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Please type a plus sign (+) inside this box →



PTO/SB/08A (08-00)

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/764,010
				Filing Date	January 22, 2004
				First Named Inventor	ALEXANDER et al.
				Group Art Unit	3762
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	6750-0007.02 (SU98-U01.US1.CON1)

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

#### **OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	C1	LI, Hongyi, et al. "A Boundary Optimization Algorithm for Delineating Brain Objects from CT Scans" Nuclear Science Symposium and Medical Imaging Conference 1993 IEEE Conference Record, San Francisco CA.	

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number.

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.